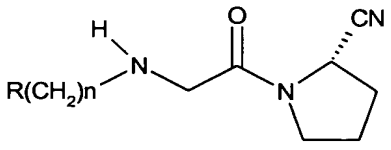
Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1 (currently amended) A method of ~~modulating hyperlipidemia~~ preventing and/or treating hyperlipidemia and or conditions associated with hyperlipidemia comprising administering to a mammal in need thereof a therapeutically effective amount of a compound of formula I:



(I)

wherein

R is substituted adamantyl; and

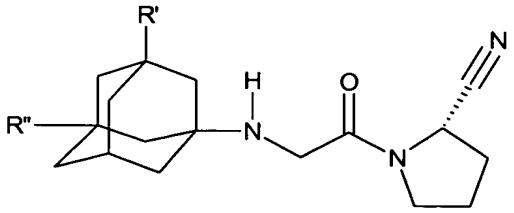
N is 0 to 3; in free form or in acid addition salt form.

Claim 2 (cancel)

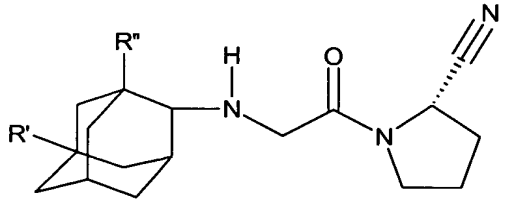
Claim 3 (currently amended) A pharmaceutical ~~Pharmaceutical~~ composition ~~for modulating hyperlipidemia and/or conditions associated with hyperlipidemia~~ comprising a compound of formula I, or a pharmaceutically acceptable salt thereof and a pharmaceutically acceptable carrier.

Claim 4 (currently amended) A ~~combination, which comprises~~ pharmaceutical composition comprising (a) a compound of formula I, and at least one compound selected from the group consisting of (b) an antihyperlipidemic agent; a plasma HDL-raising agent; an antihypercholesterolemic agent, such as a cholesterol biosynthesis inhibitor, e.g., an HMG-CoA reductase inhibitor, an HMG-CoA synthase inhibitor, a squalene epoxidase inhibitor or a squalene synthetase inhibitor; an ACAT inhibitor; probucol; nicotinic acid and the salts thereof and niacinamide; a cholesterol absorption inhibitor; a bile acid sequestrant anion exchange resin; an LDL receptor inducer; a cholesterol absorption inhibitor; fibrates; vitamin B6 and the pharmaceutically acceptable salts thereof; vitamin B12; vitamin B3; anti-oxidant vitamins; a β–blocker; an angiotensin II receptor (AT_1) antagonist; an angiotensin-converting enzyme inhibitor; a renin inhibitor, and a platelet aggregation inhibitor, a fibrinogen receptor antagonists, a glycoprotein IIb/IIIa fibrinogen receptor antagonists; and aspirin.

Claim 5 (currently amended) A method of claim 1, ~~use of claims 2 or 3 and combination of claim 4,~~ wherein the compound of formula I is a compound selected from a compound of formulae IA or IB:



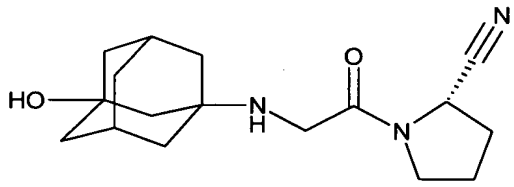
(IA)



(IB)

wherein R' represents hydroxy, C_1-C_7alkoxy, C_1-C_8-alkanoyloxy, or R_5 R_4 N--CO--O--, where R_4 and R_5 independently are C_1-C_7alkyl or phenyl which is unsubstituted or substituted by a substituent selected from C_1-C_7alkyl, C_1-C_7alkoxy, halogen and trifluoromethyl and where R_4 additionally is hydrogen; or R_4 and R_5 together represent C_3-C_6alkylene; and R'' represents hydrogen; or R' and R'' independently represent C_1-C_7alkyl; in free form or in form of a pharmaceutically acceptable acid addition salt.

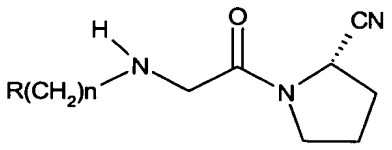
Claim 6 (currently amended) A method of claim 1, ~~use of claims 2 or 3 and combination of claim 4,~~ wherein the compound of formula I is a compound of formula IC.



(IC)

Claim 7 (currently amended) A method of claim 1, ~~or use of claims 2 or 3~~ wherein the conditions associated with hyperlipidemia are selected from the group consisting of atherosclerosis, angina pectoris, carotid artery disease, cerebral arteriosclerosis, xanthoma, CHD, ischemic stroke, restenosis after angioplasty, peripheral vascular disease, intermittent claudication, reduction in necrosis after myocardial infarction, dyslipidemia, post-prandial lipemia.

Claim 8 (currently amended) A method of ~~modulating hyperlipidemia~~ <u>preventing and/or treating hyperlipidemia</u> and/or conditions associated with hyperlipidemia comprising administering to a mammal in need thereof a therapeutically effective amount of a compound of formula I:



(I)

wherein
R is substituted adamantyl;
N is 0 to 3; in free form or in acid addition salt form; and
another active agent.

Claim 9 (original) A method of lowering LDL, Lp(a) and/or VLDL levels in a mammal comprising administering to a mammal a therapeutically effective amount of a compound of formula I and another active agent.

Claim 10 (cancel)

Claim 11 (currently amended) ~~Method according to claims~~ The method of claim 8, ~~9 or use according to claim 10~~ wherein the compound of formula I is a compound of formula IC.

Claim 12 (currently amended) ~~Method according to claims 8 9 or use according to claim 10~~ The method of claim 8, wherein the active agent is selected from the group consisting of an antihyperlipidemic agent; a plasma HDL-raising agent; an antihypercholesterolemic agent, such as a cholesterol biosynthesis inhibitor, e.g., an HMG-CoA reductase inhibitor, an HMG-CoA synthase inhibitor, a squalene epoxidase inhibitor or a squalene synthetase inhibitor; an ACAT inhibitor; probucol; nicotinic acid and the salts thereof and niacinamide; a cholesterol absorption inhibitor; a bile acid sequestrant anion exchange resin; an LDL receptor inducer; a cholesterol absorption inhibitor; fibrates; vitamin B6 and the pharmaceutically acceptable salts thereof; vitamin B12; vitamin B3; anti-oxidant vitamins; a β–blocker; an angiotensin II receptor (AT_1) antagonist; an angiotensin-converting enzyme inhibitor; a renin inhibitor, and a platelet aggregation inhibitor, a fibrinogen receptor antagonists, a glycoprotein IIb/IIIa fibrinogen receptor antagonists; and aspirin.

Claim 13 (currently amended) ~~Method according to claims~~ The method of claim 8 ~~9 or use according to claim 10~~, wherein the conditions associated with hyperlipidemia are selected from the group consisting of atherosclerosis, angina pectoris, carotid artery disease, cerebral arteriosclerosis, xanthoma, CHD, ischemic stroke, restenosis after angioplasty, peripheral

vascular disease, intermittent claudication, reduction in necrosis after myocardial infarction, dyslipidemia, post-prandial lipemia.

Claim 14 (currently amended) ~~Combination according to~~ The pharmaceutical composition of claim 4, ~~method according to claims 8-9 or use according to claim 10,~~ wherein the active agent (b) is selected from the group consisting of , statins; bile acid-binding resins; nicotinic acid, probucol, β–carotene, vitamin E or vitamin C.

Claim 15 (currently amended) ~~Combination according to~~ The pharmaceutical composition of claim 4, ~~method according to claims 8-9 or use according to claim 10,~~ wherein the active agent (b) is selected from the group consisting of fluvastatin, lovastatin, pravastatin, atorvastatin or simvastatin.

Claim 16 (currently amended) ~~Combination according to~~ The pharmaceutical composition of claim 4, ~~method according to claims 8-9 or use according to claim 10,~~ wherein the compound of formula I is a compound of formula IC and wherein the active agent (b) is selected from the group consisting of fluvastatin, lovastatin, pravastatin, atorvastatin or simvastatin.

Claim 17 (cancel)

Claim 18 (new) The method of claim 9, wherein the compound of formula I is a compound of formula IC.

Claim 19 (new) The method of claim 9 wherein the active agent is selected from the group consisting of an antihyperlipidemic agent; a plasma HDL-raising agent; an antihypercholesterolemic agent, such as a cholesterol biosynthesis inhibitor, e.g., an HMG-CoA reductase inhibitor, an HMG-CoA synthase inhibitor, a squalene epoxidase inhibitor or a squalene synthetase inhibitor; an ACAT inhibitor; probucol; nicotinic acid and the salts thereof and niacinamide; a cholesterol absorption inhibitor; a bile acid sequestrant anion exchange resin; an LDL receptor inducer; a cholesterol absorption inhibitor; fibrates; vitamin B6 and the pharmaceutically acceptable salts thereof; vitamin B12; vitamin B3; anti-oxidant vitamins; a b-blocker; an angiotensin II receptor (AT1) antagonist; an angiotensin-converting enzyme inhibitor; a renin inhibitor, and a platelet aggregation inhibitor, a fibrinogen receptor antagonists, a glycoprotein IIb/IIIa fibrinogen receptor antagonists; and aspirin.

Claim 20 (new) The method of claim 11 wherein the active agent is selected from the group consisting of an antihyperlipidemic agent; a plasma HDL-raising agent; an antihypercholesterolemic agent, such as a cholesterol biosynthesis inhibitor, e.g., an HMG-CoA

reductase inhibitor, an HMG-CoA synthase inhibitor, a squalene epoxidase inhibitor or a squalene synthetase inhibitor; an ACAT inhibitor; probucol; nicotinic acid and the salts thereof and niacinamide; a cholesterol absorption inhibitor; a bile acid sequestrant anion exchange resin; an LDL receptor inducer; a cholesterol absorption inhibitor; fibrates; vitamin B6 and the pharmaceutically acceptable salts thereof; vitamin B12; vitamin B3; anti-oxidant vitamins; a b-blocker; an angiotensin II receptor (AT1) antagonist; an angiotensin-converting enzyme inhibitor; a renin inhibitor, and a platelet aggregation inhibitor, a fibrinogen receptor antagonists, a glycoprotein IIb/IIIa fibrinogen receptor antagonists; and aspirin.

Claim 21 (new) The method of claim 8, wherein the active agent (b) is selected from the group consisting of, statins; bile acid-binding resins; nicotinic acid, probucol, b-carotene, vitamin E or vitamin C.

Claim 22 (new) The method of claim 9, wherein the active agent (b) is selected from the group consisting of, statins; bile acid-binding resins; nicotinic acid, probucol, b-carotene, vitamin E or vitamin C.

Claim 23 (new) The method of claim 8, wherein the active agent (b) is selected from the group consisting of fluvastatin, lovastatin, pravastatin, atorvastatin or simvastatin.

Claim 24 (new) The method of claim 9, wherein the active agent (b) is selected from the group consisting of fluvastatin, lovastatin, pravastatin, atorvastatin or simvastatin.

Claim 25 (new) The method of claim 8, wherein the compound of formula I is a compound of formula IC and wherein the active agent (b) is selected from the group consisting of fluvastatin, lovastatin, pravastatin, atorvastatin or simvastatin.

Claim 26 (new) The method of claim 9, wherein the compound of formula I is a compound of formula IC and wherein the active agent (b) is selected from the group consisting of fluvastatin, lovastatin, pravastatin, atorvastatin or simvastatin.